

February 6, 1974

SENATOR MURPHY: I think that we could strike some very possible confusion by eliminating the reference to 45% increases at age 70 on a bill that already provides 100%.

SENATOR CARPENTER: I will be glad to get for the Senator, if that should be done he will have my cooperation.

SPEAKER PROUD: Is there any further discussion? Senator Whitney?

SENATOR WHITNEY: Mr. President, would Senator Carpenter yield to a question?

SENATOR CARPENTER: Certainly.

SENATOR WHITNEY: Senator Carpenter, then this fiscal note of 3½ million would be discarded and it would then be one and a quarter then approximately, is that correct?

SENATOR CARPENTER: That is correct. Now, if I can expand a minute. The change is brought about because some people with some degree of accuracy, the limit unknown, the original bill could under certain circumstances by allowing people to make the deductions from their income tax, from the line of the gross income under certain conditions might be eligible for this money. I have no desire to allow that to be accomplished, and for that reason I did change the formula so that we are only changing the 90 to 100, and I have been advised, and I presume that this is accurate because they took what had been costing the state and only added the percentage from the 10 to the 90 to 100.

SENATOR WHITNEY: Yes, now another question. If we do this for the homeowner then we should do it for the tenants who live in other apartment buildings and so forth because they indirectly pay a portion of their taxes through their rent, now do you have any other bills that you are going to take care of this situation?

SENATOR CARPENTER: I have two, one have been heard before the Revenue Committee, the other one will be which allows by our actions to do that. There are some people who think we can't do it even if we wanted to. I'm not one of those. I'm willing to attempt to pass the bill and accept the responsibility to the extent anyone does, if it is illegal why the courts will determine that, but to follow it back, in order to be sure that we can do it if we want to do it, we do have, I think it's next week, a meeting before Senator Syas's Committee the Constitutional Committee to put it on the ballot to do the same thing.

SPEAKER PROUD: Senator Burbach.

SENATOR BURBACH: Well, Mr. President and members of the Legislature I am right now, I have sent for a copy of our Constitution and Senator Carpenter, I don't believe we can give 100%. I think that the Constitution reads, and I don't have it before me, that we have it be a part, I doubt it if it is full or in part, I want to check this out, but I'd like to inject this at this time and I'm getting a copy of the Constitution and will try to find this. But I'm sure we cannot wash out 100% in a Homestead Exemption. So I think maybe your figure would need to be 99 or 95 or 98.

SENATOR CARPENTER: Mr. President, I instructed the fiscal analyst because of the previous concern of Senator Burbach on this particular subject to contact the Attorney General informally. We have no written opinion, neither did we ask for one. He was the